



Comp.A.No.403 of 2022

WEB CO **KRISHNAN RAMASAMY, J.**

This application has been filed to permit the learned Official Liquidator to file Review Petition against the dismissal order dated 05.08.2022 in SLP(C).No.22275 of 2015 before the Hon'ble Supreme Court by engaging a counsel and further to direct the respondents to remit as sum of Rs.81,000/- with the learned Official Liquidator within a week to settle the bills of Shri.Debkumar, Advocate in the active SLP. Further, for a direction against the respondents to deposit an advance amount of Rs.2,00,000/- with learned Official Liquidator immediately towards the fee and expenses for paying the counsel to be engaged for filing a Review Petition before the Hon'ble Supreme Court.

2. The learned Official Liquidator attached to this Hon'ble Court as the Liquidator of M/s.Akbar Leathers Limited (in Liquidation) would submit that the above company was sold by auction on 09.01.2003 for Rs.42,55,000/- to M/s.Hindu Educational Trust, Ambur and the said amount has been distributed to 20 workmen creditors to the tune of Rs.36,59,790/- and one secured Creditor Viz.TIIC to the tune of Rs.5,95,210/-.



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3. The Company went on liquidation by virtue of the order dated 20.09.2006 made in C.P.No.14/1997. Thereafter the Ex-Director of the company have filed the Statement of Affairs. In the Statement of Affairs, the Ex-Director has submitted that the value of the land measuring 19.5 acres would be around 2,92,50,000/-. However, under the Revenue Recovery Act, the District Collector, Vellore, auctioned the property on 18.02.2002 for settling the Labour dues. The said property was sold by auction on 09.01.2003 for a meagre sum of Rs.42,55,000/- to one M/s.Hindu Educational Trust, Ambur.

4. The learned Official Liquidator moved an application in C.A.No.1087 of 2008 before this Court challenging the said auction sale. However, the same came to be dismissed vide order dated 26.03.2013 against which the OSA No.3 of 2015 was filed. The said OSA was also dismissed on 21.01.2015. Against the said dismissal, the learned Official Liquidator preferred an appeal before the Hon'ble Supreme Court in SLP(C).No.22275 of 2015. The said SLP was also dismissed by the Hon'ble Supreme Court on 05.08.2022.



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5. Now, the learned Official Liquidator has filed the present application seeking permission of the Court to file a Review Petition before the Hon'ble Supreme Court and for a direction against the respondents to deposit an advance amount of Rs.2,00,000/- and for the payment of cost to be paid towards legal expenses.

6. The learned counsel for the respondents has submitted that he has no objection and he would pay the entire expenses but he seeks further time.

7. Considering the submissions of the learned Official Liquidator and the learned counsel for the respondents, this Court is satisfied. Thus, giving permission to the Official Liquidator to file a Review Petition before the Hon'ble Supreme Court as prayed for and further this Court directed both the respondents to deposit a sum of Rs.2,81,000/- on or before 06.01.2023 and therefore enable the Official Liquidator to file Review Application. The above application is disposed of with the above directions. No costs.

09.12.2022

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